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HUMAN RIGHTS COMMITTEE

GUIDELINES REGARDING THE FORM AND CONTENTS OF INITIAL REPORTS FROM STATES PARTIES

Adopted by the Committee at its 44th meeting (second session), on 29 August 1977, and embodying amendments adopted by the Committee at its 1002nd meeting (thirty-ninth session), on 24 July 1990, 1089th meeting (forty-second session), on 25 July 1991, and 1415th meeting (forty-third session), on 7 April 1995

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GUIDELINES REGARDING THE FORM AND CONTENTS OF INITIAL REPORTS FROM STATES PARTIES

1. Under article 40 of the International Covenant on Civil and Political Rights each State party has undertaken to submit, within one year of the entry into force of the Covenant in regard to it and thereafter whenever the Human Rights Committee established under the Covenant so requests, reports on the measures which it has adopted to give effect to rights recognized in the Covenant and on the progress made in the enjoyment of those rights. Article 40 also provides that the reports shall indicate the factors and difficulties, if any, affecting the implementation of the Covenant.

2. In order to assist it in fulfilling the tasks entrusted to it pursuant to article 40 of the Covenant, the Committee has decided that it would be useful to inform States parties of its wishes regarding the form and contents of reports. Compliance with the following guidelines will help to ensure that reports are presented in a uniform manner and enable the Committee and States parties to obtain a complete picture of the situation in each State as regards the implementation of the rights referred to in the Covenant. This will also reduce the need for the Committee to request additional information under its rules of procedure.

3. The general part of the report should be prepared in accordance with the consolidated guidelines for the initial part of the reports of States parties to be submitted under the various international human rights instruments, including the Covenant, as contained in document HRI/1991/1.

4. The part of the report relating specifically to parts I, II and III of the Covenant should describe in relation to the provisions of each article:

(a) The legislative, administrative or other measures in force in regard to each right;

(b) Any restrictions or limitations, even of a temporary nature, imposed by law or practice or any other manner on the enjoyment of the right;

(c) Any other factors or difficulties affecting the enjoyment of the right by persons within the jurisdiction of the State, including any factors affecting the equal enjoyment by women of that right;

(d) Any other information on the progress made in the enjoyment of the right.

5. When a State party to the Covenant is also a party to the Optional Protocol, and if in the period under review the Committee has issued views finding that the State party has violated provisions of the Covenant, the report should include a section explaining what action has been taken relating to the communication concerned. In particular, the State party should indicate what remedy it has afforded the author of the communication whose rights the Committee found to have been violated.

6. The report should be accompanied by copies of the principal legislative and other texts referred to in the report. These will be made available to members of the Committee. It should be noted, however, that, for reasons of expense, they will not normally be reproduced for general distribution with the report except to the extent that the reporting State specifically so requests. It is desirable therefore, that when a text is not actually quoted in or annexed to the report itself, the report should contain sufficient information to be understood without reference to it.

7. The Committee will welcome at any time information on any significant new development in regard to the rights referred to in the Covenant, but in any event it intends, after the completion of its study of each State's initial report and of any additional information submitted, to call for subsequent reports under article 40 (1) (b) of the Covenant. The aim of such further reports will be to bring the situation up to date in respect of each State.

8. On the basis of reports prepared according to the above guidelines, the Committee is confident that it will be enabled to develop a constructive dialogue with each State party in regard to the implementation of the Covenant and thereby contribute to mutual understanding and peaceful and friendly relations among nations in accordance with the Charter of the United Nations.